



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas M. Levergood et al.

Appl. No.: 09/548,235

Conf. No.: 6069

Filed: April 12, 2000

Title: WEB ADVERTISING METHOD

Art Unit: 2155

Examiner: Patrice L. Winder

Docket No.: 113948-026

RECEIVED

MAY 18 2004

Technology Center 2100

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AFFIDAVIT OF GEORGE WINFIELD TREESE UNDER 37 C.F.R. §1.131

Sir:

I, George Winfield Treeese, being duly sworn, hereby state:

1. I am one of the named inventors of the subject matter claimed in the above-identified patent application and am generally familiar with the subject matter claimed in the above-identified patent application and am generally familiar with the inventions disclosed therein.

2. Between May 1994, and December 2000, I was employed by OpenMarket, Inc. as Director of Security, Corporate Systems Architect, and Vice President of Technology.

3. Prior to March 20, 1995, I contributed to the conception of at least one embodiment of the invention described in the above-identified application.

4. At least one embodiment to which I contributed to the conception of was diligently reduced to practice prior to March 20, 1995 as evidenced by the specification of US Patent No. 5,708,780 ("the '780 patent"), of which this application is a continuation thereof. More specifically, col. 35-36 of the '780 patent clearly shows that the file printed for use in the

specification was created on March 1, 1995. It should be noted that this date is not being offered to establish a specific date of conception, but is offered only to establish priority for the purpose of this Affidavit.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further, I acknowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §10901 of Title 18 of the United States Code and may jeopardize the validity of the application or any patent issuing thereon.

FURTHER AFFIANT SAYETH NOT:

Signature Ly Lupo

Date Signed 4/30/2004

Name: George Winfield Treese

Address: 11 Erwin Rd
Weyland MA 01778

State of MA)
) SS.
County of MIDDLESEX)

On this 30 day of APRIL, 2004, before me, a notary public, in and for the aforementioned state and county, personally appeared the person whose name is subscribed to the foregoing instrument, and executed the foregoing instrument in my presence for the purpose contained therein, by signing his name hereto.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

4/30/04 Mike Shapiro
Date: _____

Notary Public

My Commission Expires: 4/26/2010